

12-12-03

Atty's Docket 103131-3 (new)

03 CO

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CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express mail in an envelope addressed to the Commissioner For Patents, P.O.Box 1450, Alexandria, VA 22313-1450 on 11 December 2003

Agata Glinska

Agata Glinska

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NO.	: 09/786,926
APPLICANT	: Gräler, et al.,
FILED	: May 4, 2001
EXAMINER	: Bridget E. Bunner
ART UNIT	: 1647
FOR	: Human and Murine G-protein-coupled Edg6 Receptor (Endothelial Differentiation Gene) and Use of Same

Commissioner of Patents
PO BOX 1450
Alexandria, VA 22313-1450

11 December 2003

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

This communication is in response to the above-referenced Notice mailed on 5 September 2003.

In addition to the submissions filed herewith, entry of any amendments and consideration of any remarks is respectfully solicited.

IN THE SPECIFICATION

☐ In the above-referenced application, please add the sequence listing filed herewith to the specification.

☒ In the above-referenced application, please substitute the sequence listing filed herewith for the current sequence listing of record.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Applicants request that this be considered a petition therefore. Please charge the required fee to Deposit Account No. 14-1263.

ADDITIONAL FEES

Please charge any further insufficiency of fees, or credit any excess to Deposit Account No. 14-1263.

ITEMS BEING SUBMITTED

The checked boxes indicate the items enclosed herewith:

- ☒ A paper copy of the sequence listing for the nucleotide and/or amino acid sequence(s) in this application, wherein each "Sequence Listing" is assigned a separate identifier as required in 37 CFR 1.821(c) and 37 CFR 1.822 and 1.823.
- ☒ An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 CFR 1.821(d).
- ☒ A copy of each sequence listing submitted for this application in computer readable form, in accordance with the requirements of 37 CFR 1.821(e) and 1.824.

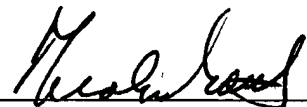
- ☒ A statement under 37 CFR 1.821(g) that the content of each paper copy of the sequence listing submitted and each computer readable copy are the same.
- ☒ A statement under 37 CFR 1.821(g) that the submission includes no new matter.
- ☒ A copy of the NOTICE TO COMPLY...SEQUENCE DISCLOSURES.
- ☐ Other (provide description of items submitted)

**STATEMENT THAT SEQUENCE LISTING
AND COMPUTER READABLE COPY ARE THE SAME
AND THAT PAPERS SUBMITTED INCLUDES NO NEW MATTER**

I hereby state that each computer readable form submitted in this application, is the same as the paper copy of the "Sequence Listing" to which it is indicated to relate. All papers accompanying this submission, or for which a request for transfer from applicant's other application, introduce no new matter.

Respectfully Submitted,

Norris, McLaughlin & Marcus
220 East 42nd Street
New York, NY 10017
Telephone (212) 808-0700
Facsimile (212) 808-0844



Theodore Gottlieb, PhD
Reg. No. 42, 597



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103131-3 BSL/TAG

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,926	05/04/2001	Markus Graler	101195-45	7274

27387 7590 11/12/2003

BRUCE LONDA
NORRIS, MCLAUGHLIN & MARCUS, P.A.
320 EAST 42ND STREET, 30TH FLOOR
NEW YORK, NY 10017

EXAMINER:

BUNNER, BRIDGET E

ART UNIT PAPER NUMBER

1647

DATE MAILED: 11/12/2003



Sequence Due
12-12-03

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/786,926

EXAMINER

Bunner, B.

ART UNIT	PAPER
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1647

11042003

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

The communication filed 03 October 2003 is not fully responsive to the Office communication mailed 05 September 2003 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to be bona fide attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bridget E. Bunner whose telephone number is (703) 305-7148. The examiner can normally be reached on 8:30-5:30 M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Kunz can be reached on (703) 308-4623.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 308-4242 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

BEB
Art Unit 1647
04 November 2003

ELIZABETH KEMMERER
PRIMARY EXAMINER



Notice to Comply

Application No.	Applicant(s)	
09/786,926	Graler et al.	
Examiner	Art Unit	
Bridget E. Bunner	164	

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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